

ASSEMBLY BILL

No. 963

Introduced by Assembly Member Ammiano

February 26, 2009

An act to add Sections 14012.6 and 14012.7 to the Welfare and Institutions Code, relating to Medi-Cal.

LEGISLATIVE COUNSEL'S DIGEST

AB 963, as introduced, Ammiano. Medi-Cal eligibility.

Existing law creates various programs to provide health care services to persons who have limited incomes and meet various eligibility requirements, including, but not limited to, the Medi-Cal program, which is administered by the State Department of Health Care Services, and under which qualified low-income individuals receive health care benefits. Existing law also provides for the Food Stamp Program, under which food stamps are allocated by each county in accordance with federal requirements, and the CalWORKS program, under which each county provides cash assistance and other benefits to qualified low-income families and individuals who meet specified eligibility criteria. Under existing law, the Food Stamp Program and the CalWORKS program are administered at the state level by the State Department of Social Services.

This bill would require the department, in consultation with the State Department of Social Services, to make necessary technological and policy changes to update the data sharing, computer programming, and administrative procedures, as provided, to ensure the continuation of Medi-Cal benefits when a beneficiary reports a change in circumstances to the Food Stamp Program or the CalWORKS program that would continue Medi-Cal eligibility. The bill would declare these provisions

to be declaratory of existing law. The bill would require the department to issue comprehensive implementing instructions for policies and procedures, as specified, for this administrative transition, on or before March 1, 2011.

This bill would require the department to establish procedures and guidelines for an electronic enrollment or renewal application with all relevant eligibility information that provides for the electronic enrollment or renewal of all potential and current Medi-Cal beneficiaries. The electronic enrollment or renewal application shall be used for all beneficiaries whose Medi-Cal enrollment or renewal is not accomplished pursuant to the administrative procedures. The bill would require the procedures and guidelines to be phased in statewide by January 2012.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 14012.6 is added to the Welfare and
2 Institutions Code, to read:
3 14012.6. (a) (1) The department, in consultation with the State
4 Department of Social Services, counties, representatives from the
5 Statewide Automated Welfare System (SAWS) consortia,
6 consumer advocates, and other stakeholder groups, shall make all
7 necessary technological and policy changes to update data sharing,
8 computer programming, and administrative procedures, to ensure
9 that Medi-Cal is continued when a Medi-Cal beneficiary reports
10 a change in circumstances to the Food Stamp Program or the
11 CalWORKs program that would continue Medi-Cal eligibility.
12 (2) Nothing in this section shall increase the frequency of the
13 reporting requirements in the Medi-Cal program or amend the
14 counties' obligation to redetermine Medi-Cal eligibility and follow
15 all due process requirements prior to terminating Medi-Cal benefits.
16 (3) A beneficiary's failure to complete a periodic report or
17 annual renewal requirement in the CalWORKs program or Food
18 Stamp Program shall not result in termination or redetermination
19 of Medi-Cal eligibility.
20 (4) This subdivision is declaratory of existing law.
21 Implementation of this subdivision shall not be delayed in order
22 to implement the other provisions of this section.

1 (b) A beneficiary who completes a periodic report or annual
2 renewal form in the CalWORKs program or Food Stamp Program
3 shall be deemed to have met the requirement to return a periodic
4 report or annual renewal form for the next scheduled period in the
5 Medi-Cal program.

6 (c) If information a beneficiary submits in the CalWORKs
7 program or Food Stamp Program periodic reporting or annual
8 renewal process is sufficient to continue Medi-Cal eligibility, the
9 county shall deem the beneficiary to have met the Medi-Cal annual
10 redetermination requirement in Section 14012. These Medi-Cal
11 beneficiaries shall have their eligibility continued for the greatest
12 period of time allowed under this chapter and all scheduled renewal
13 dates or reporting dates, if any, shall be reset accordingly from the
14 date of redetermination. Nothing in this section affects a
15 beneficiary's responsibility to report changes to the county that
16 affect Medi-Cal eligibility within 10 days of their occurrence.

17 (d) The procedures described in this section shall be conducted
18 by electronic means to the greatest extent possible and shall be
19 developed according to subdivision (g).

20 (e) Use of the information shared pursuant to this section shall
21 not be used for any other purposes except as set out in this section.

22 (f) This section shall supplement, not supplant, the requirements
23 already in effect pursuant to subdivision (e) of Section 14005.37.

24 (g) The department, in conjunction with counties, the State
25 Department of Social Services, and representatives of the SAWS
26 consortia, consumers, and other affected stakeholder groups, shall
27 conduct a planning process and develop administrative enrollment
28 and renewal policies and procedures, to be implemented by all
29 county letters or similar instructions. After implementation by all
30 county letters or similar instructions, the department shall adopt
31 regulations in accordance with the requirements of Chapter 3.5
32 (commencing with Section 11340) of Part 1 of Division 3 of Title
33 2 of the Government Code. Comprehensive implementing
34 instructions shall be issued no later than March 1, 2011. The
35 policies and procedures shall do all of the following:

36 (1) Establish appropriate data sharing procedures and safeguards
37 that do not require any additional consent from beneficiaries for
38 the information sharing pursuant to this section and that meet
39 confidentiality and privacy requirements in the Medi-Cal program.

1 (2) Give priority to the programming changes necessary to
2 enable the SAWS consortia to automate this enrollment and
3 renewal procedure in order to minimize manual workload.

4 (3) Develop procedural protections to ensure that beneficiaries
5 experience no disruption in coverage and no diminution of their
6 rights under this chapter.

7 SEC. 2. Section 14012.7 is added to the Welfare and
8 Institutions Code, to read:

9 14012.7. (a) The department, in conjunction with counties and
10 representatives of the Statewide Automated Welfare System
11 (SAWS) consortia, consumers, and other affected stakeholder
12 groups, shall establish procedures and guidelines for an electronic
13 enrollment or renewal application with all relevant eligibility
14 information that provides for the electronic enrollment or renewal
15 of all potential and current Medi-Cal beneficiaries.

16 (b) The electronic enrollment or renewal application shall be
17 used for all beneficiaries whose Medi-Cal enrollment or renewal
18 is not accomplished through the enrollment and renewal procedures
19 set forth in Section 14012.6. Periodic reporting forms, if any, shall
20 also be electronically created in accordance with this subdivision.

21 (c) The department shall use the electronic enrollment or renewal
22 application as the annual reaffirmation form required under Section
23 14012.

24 (d) The procedures and guidelines established pursuant to this
25 section shall include a timeline for phasing in this procedure
26 statewide, beginning in January 2011, and fully phasing in the
27 procedure by January 2012.